

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Martha Jo Meadows Brown

Serial No.: 10/734,426 Art Unit: 1761

Filed : 12/12/2003 Examiner: S. Weinstein

For : PACKAGING CONTAINING FRAGRANCE

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Response to Restriction Requirement

The response to the restriction requirement, filed October 25, 2006, was considered non-responsive. Upon reconsideration, the restriction requirement originally issued on September 25, 2006 has been reviewed and modified. Accordingly the Examiner has withdrawn the restriction requirement and has issued a new restriction requirement.

This is in response to the Office Action dated January 11, 2007 in which a requirement for restriction has been applied. The following response is timely filed, being that February 11, 2007 fell on a Sunday and this submission is being filed on the next business day, Monday February 12, 2007.

Applicants elect the following:

Species II, wherein the compound is an addition to the package;

Sub-species IIa, wherein the addition to the package is in the form of the compound associated with an applied strip; and

Sub-species IIc, wherein the compound is released under normal conditions temperature and pressure;

Sub-species IIIi wherein the package is a pouch;

Sub-species III wherein the compound is a powder.

Applicants have amended the claims and present Claims 1, 2, 4, 7, 8, 17, 18, 20, 29, 31, 32, 33 and 36 as reading on the elected invention. Applicants have elected to prosecute the elected claims, provided herein, and will file divisional applications to prosecute the non-elected claims at the appropriate time.

The Examiner has asked for clarification regarding the specification, which in the Examiner's opinion, appears to make a distinction between the so-called "off-odor eliminating compounds" and scavengers. That is, the specification appears to define the former as compounds which volatilize and react with off-odor compounds in the air (or on the product too?) whereas the scavengers appear to be distinguished as non-volatile adsorbents. In fact, the only "off-odor eliminating compound" that appears to be disclosed is a sulphur scavenging compound, and specifically a commercial product containing C16-C18 acids, predominately linoleic acid. Is this compound conventionally known as either a volatile, off-odor eliminating compound or sulphur scavenger? The Examiner has asked for clarification and/or correction is requested in this regard.

The off-odor eliminating compounds are sulphur scavenging compounds, linoleic acid is a sulphur scavenging compound.

The Examiner has noted in the interest of expediting prosecution, that the application was filed with figures 9 and 10, however these figures do not appear to be described either in the Brief Description of the Drawings or the body of the specification. Applicants have amended the specification to delete Figures 9 and 10.